

Message Text

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PAGE 01 NEW DE 10131 301939Z

43

ACTION SCS-03

INFO OCT-01 NEA-05 ADP-00 SCA-01 L-03 SY-10 H-03 /026 W

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R 301853Z AUG 73

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 6496

INFO AMCONSUL CALCUTTA

LIMITED OFFICIAL USE NEW DELHI 10131

E.O. 11652: N/A

TAGS: CASC

SUBJECT: HARCOS/FLETCHER

REF: CALCUTTA 9310 AND PREVIOUS

1. CONGEN CALCUTTA REPORTS THAT A MEMBER OF THE POLICE SPECIAL BRANCH WAS PRESENT ON AUGUST 22 WHEN A CONSULAR OFFICER VISITED HARCOS AND FLETCHER. THE CONSULATE GENERAL BELIEVES THIS PROCEDURE VIOLATES INTERNATIONAL CONSULAR PRACTICE IN THAT IT DOES NOT PERMIT PRIVATE ACCESS. EMBASSY HAS CHECKED INTO THE LEGAL BASIS AND NOTES THAT, ALTHOUGH NOT A PARTY TO IT, INDIA IS GUIDED BY THE PROVISIONS OF THE VIENNA CONVENTION. ARTICLE 36 STATES THAT CONSULAR OFFICERS SHALL HAVE THE RIGHT TO VISIT THEIR NATIONALS IN PRISON OR CUSTODY. IT DOES NOT SPECIFICALLY SAY HOW SOON AFTER ARREST ACCESS MUST BE GRANTED, NOR DOES IT SAY THAT THE CONVERSATION WITH A PRISONER MUST BE PRIVATE.

2. IN VIEW OF THE ABOVE, EMBASSY REQUESTS ADVICE FROM THE DEPARTMENT AS TO WHETHER THERE IS A LEGAL BASIS FOR THE CONSUL GENERAL TO INSIST THAT CONVERSATIONS OF A CONSULAR OFFICER WITH HARCOS AND FLETCHER MUST BE PRIVATE.
MOYNIHAN

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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Control Number: n/a
Copy: SINGLE
Draft Date: 30 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: elyme
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: N/A
Errors: N/A
Film Number: n/a
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Handling Restrictions: n/a
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Previous Handling Restrictions: n/a
Reference: CALCUTTA 9310 AND PREVIOUS
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Review Comment: n/a
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Review Event:
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Review History: RELEASED <19-Dec-2001 by kelleyw0>; APPROVED <10-Jan-2002 by elyme>
Review Markings:

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30 JUN 2005

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Review Release Event: n/a
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